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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,739	08/31/2001	Poorvi L. Vora	10004408 -1	2015

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EXAMINER	
OYEBISI, OJO O	

ART UNIT	PAPER NUMBER
3692	

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/944,739	VORA ET AL.	
	Examiner	Art Unit	
	OJO O. OYEBISI	3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 October 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/18/06 has been entered.

In the RCE filed on 10/18/06, the following have occurred: claims 1, 10, 19, and 21 have been amended, no claims have been cancelled, and claims 1-25 are pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> **(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.**

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

2. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krsul et al (Krsul hereinafter, US PAT: 5,839,119).

Re claim 1. Krsul discloses a method by an anonymity service provider (i.e., seller/merchant) for anonymous acquisition of a digital product by an entity, the method comprising: receiving, from the entity, a plurality of acquisition-related variables necessary for the entity to acquire the digital product (i.e., determining the amount of money adequate for the transaction, and the seller with whom the buyer wants to do business, see col.5 lines 60-67); splitting at least some of the plurality of acquisition-related variables into a corresponding at least one set of variable secret shares (i.e., splitting the electronic tokens into half, see col.7 lines 45-55, also see abstract); for each of the at least one set of variable secret shares (i.e., electronic tokens), sending the set of variable secret shares to a set of shareholders for long-term storage of the acquisition-related variables (the financial service provider assigns half of the electronic to the buyer and the other half to the seller, see col.2 lines 20-50, also see abstract); and fulfilling acquisition of the digital product by the entity based on the plurality of acquisition-related variables such that a provider of the digital product is unable to identify the entity(i.e., providing anonymity to buyer, and preventing sellers from building a dossier about the buyer, see col.6 lines 40-48) (see col.2, lines 20-50, also see abstract), **wherein the acquisition includes an online purchase during the acquisition with a financial institution providing credit to the entity purchasing;** (i.e., alternatively, buyer 16 could pay seller 17 for goods delivered via the Internet by inserting smart card 40 into computing device 22, see col.4 lines 22-25, also see "Alternately, buyers 16 might communicate with communications

system 15 using a less powerful device known as an "internet appliance." Internet appliances have been proposed by companies like Intel, Oracle, and Microsoft foresee interest in a simple box, without a monitor, including little memory or resident software, that would allow consumers to connect to the internet using their televisions. Buyers 16 would be able to use an internet appliance to engage in purchases over the World Wide Web provided that the appliance accommodated smart card 40" Col.5 lines 1-10), creating an auditing record of the acquisition and shareholder identifications associated with the acquisition; and (i.e., During step 1025, in anticipation of the future redemption of the electronic tokens just generated bank 18 makes an entry to a database in its computer memory. Bank 18 uses this database to track valid, unredeemed electronic tokens. Bank 18 makes an entry in this database for every buyer-seller pair with outstanding, valid electronic tokens. Bank 18 assigns a unique identifier, which we shall call a purse identifier, to the group of electronic tokens just generated. Banks 18 then notes the purse identifier in its database entry for this buyer-seller pair, as well as all of the session serial numbers of those electronic tokens. Bank 18 also stores the address of seller 17 in the database entry in case buyer 16 should wish to redeem unspent electronic token halves. That done, bank 18 advances to step 1026 from step

1025, see col.8 lines 30-45), Krsul further discloses auditing the acquisition and reconstructing the entity auditing record for determining an identity of the entity (see col.8 lines 30-45, see col.11 lines 20-40, also see fig.8 element 558, also see fig.10 A elements 1082, 1084, 1086, 1088). Krsul does not explicitly disclose that the auditing and reconstructing are done for legal investigation request purposes. However, the purpose for which the auditing and reconstructing are done is non-functional descriptive element, which carries no patentable weight since the element does not alter the structure of the system, and besides since Krsul is capable of auditing and reconstructing the entity auditing record, one of ordinary skill in the art would have been motivated to use the reconstructed audit record result for the purpose stated supra and any other purposes.

Re claim 2. Krsul further discloses the method of claim 1, further comprising: assigning a transaction identification to the plurality of acquisition-related variables (i.e., bank assigns a unique identifier, see col.8 lines 35-40); and associatively storing the transaction identification with identifications of shareholders of each set of shareholders (see col.8 lines 40-55).

Re claim 3. Krsul further discloses the method of claim 1, wherein a first set of shareholders receive a first set of variable secret shares and at least a second set of shareholders receive at least a second set of variable secret shares (i.e., the financial service provider assigns half of the electronic to the buyer and the other half to the seller, see col.2 lines 20-50, also see abstract).

Re claims 4 and 5. Krsul further discloses the method of claim 3, wherein the first set of

shareholders is not identical to the at least second set of shareholders (i.e., the financial service provider assigns half of the electronic to the buyer (first set of shareholder) and the other half to the seller (the second set of shareholder), see col.2 lines 20-50, also see abstract. Note that buyers and sellers are not identical with no common members).

Re claim 6. Krsul further discloses the method of claim 3, wherein the first set of shareholders is identical to each of the at least second set of shareholders (i.e., bank may assign the seller (one set of shareholder) all of the first token halves (shares), and all of the second token halves (shares), or some combination of the first and second token halves, so long as neither the seller nor buyer receives both halves of the electronic token, see col.8, lines 46-53).

Re claim 7. Krsul further discloses the method of claim 1, wherein the plurality of acquisition-related variables comprises an entity identification corresponding to the entity and a digital product identification corresponding to the digital product (i.e., unique identifier see col.8, lines 35-45).

Re claim 8. Krsul further discloses the method of claim 7, wherein the plurality of acquisition-related variables further comprises a purchase price corresponding to the digital product (i.e., the amount of money adequate for the transaction, see col.5 lines 60-65).

Re claim 9. Krsul further discloses the method of claim 8, wherein the plurality of acquisition-related variables comprise credit information, and wherein fulfilling acquisition of the digital product further comprises: verifying credit of the entity with a credit agency based on the entity identification, purchase price and credit information

such that the credit agency is unable to identify the digital product or the provider of the digital product (i.e., If bank 18 does not find a match, the seller is attempting to double spend the token, and bank 18 will not credit the seller for that electronic token. On the other hand, if the serial number of the electronic token matches a session serial number remaining in the relevant database entry, bank 18 removes the session serial number of the redeemed electronic token from the database entry and advances to step 1066. Bank 18 may also detect double spending using other approaches. Whatever approach is taken, bank 18 needs to ensure that it only honors an electronic token once. Once bank 18 determines that an electronic token is valid, however that is done, during step 1066 bank 18 increases the sum due to seller 17 by the amount of the electronic token. That done, bank 18 continues executing steps 1063 through 1066 until all of the seller's electronic tokens have been processed. When that occurs, during step 1068 bank 18 informs seller 17 of the credit to be given him and how that credit will be given to him, see col.11 lines 20-40).

Re claim 10. Krsul further discloses the method for an anonymity service provider to support anonymous acquisition, by an entity, of a digital product, the method comprising: receiving, from the entity, an acquisition request comprising a digital product identification corresponding to the digital product and an entity identification corresponding to the entity (i.e., unique identifiers and session serial numbers, see col.8, lines 30-45, also see col.7, lines 17-45); assigning a transaction identification that uniquely identifies the acquisition request (i.e., unique identifier, see col.8 lines 30-45); upon receipt of the digital product identification, splitting, without retaining, the digital

product identification into a plurality of digital product identification secret shares; upon receipt of the entity identification, splitting, without retaining, the entity identification into a plurality of entity identification secret shares; and sending the transaction identification, the plurality of digital product identification secret shares and the plurality of entity identification secret shares to at least one set of shareholders (see col.7, lines 17-59), wherein the anonymity service provider associatively stores the transaction identification with identifications of shareholders of the at least one set of shareholders (i.e., bank also stores the unique identifier, serial numbers and the address of seller, see col.8, lines 40-45) and **wherein the acquisition includes an online purchase during the acquisition with a financial institution providing credit to the entity purchasing;** (i.e., alternatively, buyer 16 could pay seller 17 for goods delivered via the Internet by inserting smart card 40 into computing device 22, see col.4 lines 22-25, also see "Alternately, buyers 16 might communicate with communications system 15 using a less powerful device known as an "internet appliance." Internet appliances have been proposed by companies like Intel, Oracle, and Microsoft foresee interest in a simple box, without a monitor, including little memory or resident software, that would allow consumers to connect to the internet using their televisions. Buyers 16 would be able to use an internet appliance to engage in purchases over the World Wide Web provided that the appliance accommodated smart card 40"

Col.5 lines 1-10), creating an auditing record of the acquisition and shareholder identifications associated with the acquisition; and (i.e., During step 1025, in anticipation of the future redemption of the electronic tokens just generated bank 18 makes an entry to a database in its computer memory. Bank 18 uses this database to track valid, unredeemed electronic tokens. Bank 18 makes an entry in this database for every buyer-seller pair with outstanding, valid electronic tokens. Bank 18 assigns a unique identifier, which we shall call a purse identifier, to the group of electronic tokens just generated. Banks 18 then notes the purse identifier in its database entry for this buyer-seller pair, as well as all of the session serial numbers of those electronic tokens. Bank 18 also stores the address of seller 17 in the database entry in case buyer 16 should wish to redeem unspent electronic token halves. That done, bank 18 advances to step 1026 from step 1025, see col.8 lines 30-45), Krsul further discloses auditing the acquisition and reconstructing the entity auditing record for determining an identity of the entity (see col.8 lines 30-45, see col.11 lines 20-40, also see fig.8 element 558, also see fig.10 A elements 1082, 1084, 1086, 1088). Krsul does not explicitly disclose that the auditing and reconstructing are done for legal investigation request purposes. However, the purpose for which the auditing and reconstructing are done is non-functional descriptive element, which carries no

patentable weight since the element does not alter the structure of the system, and besides since Krsul is capable of auditing and reconstructing the entity auditing record, one of ordinary skill in the art would have been motivated to use the reconstructed audit record result for the purpose stated supra and any other purposes.

Re claim 11. Krsul further discloses the method of claim 10, wherein the anonymity service provider communicates with the entity via a public communication network (i.e., world wide web, telephone network, see col.10, lines 52-55).

Re claim 12. Claim 12 recites similar limitations to claim 3, and thus rejected using the same art and rationale in the rejection of claim 3.

Re claims 13 and 14. Claims 13 and 14 recite similar limitations to claims 4 and 5 above, and thus rejected using the same art and rationale in the rejection of claims 4 and 5.

Re claim 15. Claim 15 recites similar limitations to claim 6 and thus rejected using the same art and rationale in the rejection of claim 6.

Re claim 16. The method of claim 10, further comprising: requesting, based on the stored transaction identification and identifications of shareholders, the plurality of digital product identification secret shares from the at least one set of shareholders (see col.9, lines 55-66); reconstructing the digital product identification based on the plurality of digital product identification secret shares (see fig.8 element 558); sending a digital product request comprising the digital product identification to a provider of the digital product (i.e., all buyer has to do is transmit each electronic token half to the seller's (provider of the digital product) computer network, see col. 9, lines 45-63), where in the

anonymity service provider does not subsequently retain the digital product identification: receiving, in response to the digital product request, the digital product from the provider (see col.9, lines 60-63); requesting, based on the stored transaction identification and identifications of shareholders, the plurality of entity identification secret shares from the at least one set of shareholders (see col.9, lines 55-66); reconstructing the entity identification based on the plurality of entity identification secret shares (see fig.8 element 558); and sending the digital product to the entity based on the entity identification (seller releases the good and services to the buyer, see col.10 lines 45-55) wherein the anonymity service provider does not subsequently retain the entity identification (i.e., seller releases the desired goods and services to the to buyer, see col.10, lines 45-55)

Re claim 17. Claim 17 recites similar limitations to some of the limitations recited in claim 1, and thus rejected using the same art and rationale in the rejection of those limitations in claim 1.

Re claim 18. The method of claim 17, further comprising: receiving, from the entity, credit information; requesting, based on the stored transaction identification and identifications of shareholders, the plurality of purchase price secret shares (i.e., electronic token halves) from the additional set of shareholders (i.e., After making her selection and noting its price, see col.9, lines 55-63. Note that the electronic token has information about the price and the kind of goods and service being purchased etc); reconstructing the purchase price based on the plurality of purchase price secret shares (see fig.8 element 558); requesting, based on the stored transaction identification and

identifications of shareholders (see col.9, lines 55-66), the plurality of entity identification secret shares from the at least one set of shareholders; reconstructing the entity identification based on the plurality of entity identification secret shares (see fig.8 element 558); sending, based on the credit information, a credit verification request comprising the transaction identification, the entity identification, the purchase price and the credit information to a credit agency, wherein the anonymity service provider does not subsequently retain the entity identification, the purchase price and the credit information; receiving, from the credit agency, a credit approval identification and the transaction identification; requesting, based on the stored transaction identification and identifications of shareholders (see col.9, lines 55-66), the plurality of digital product identification secret shares from the at least one set of shareholders; reconstructing the digital product identification based on the plurality of digital product identification secret shares(see fig.8 element 558); sending the digital product identification and the credit approval identification to a clearing house in order to credit an amount equal to the purchase price to an account of the provider, wherein the anonymity service provider does not subsequently retain the digital product identification, the purchase price and the credit information (i.e., If bank 18 does not find a match, the seller is attempting to double spend the token, and bank 18 will not credit the seller for that electronic token. On the other hand, if the serial number of the electronic token matches a session serial number remaining in the relevant database entry, bank 18 removes the session serial number of the redeemed electronic token from the database entry and advances to step 1066. Bank 18 may also detect double spending using other approaches. Whatever

approach is taken, bank 18 needs to ensure that it only honors an electronic token once. Once bank 18 determines that an electronic token is valid, however that is done, during step 1066 bank 18 increases the sum due to seller 17 by the amount of the electronic token. That done, bank 18 continues executing steps 1063 through 1066 until all of the seller's electronic tokens have been processed. When that occurs, during step 1068 bank 18 informs seller 17 of the credit to be given him and how that credit will be given to him, see col.11 lines 20-40).

Re claim 19. Claim 19 recites similar limitations to claim 1, and thus rejected using the same art and rationale in the rejection of claim 1.

Re claim 20. Claim 20 recites similar limitations to claim 2, and thus rejected using the same art and rationale in the rejection of claim 2.

Re claim 21. Claim 21 recites similar limitations to claim 10, and thus rejected using the same art and rationale in the rejection of claim 10.

Re claim 22. Claim 22 recites similar limitations to claim 11, and thus rejected using the same art and rationale in the rejection of claim 11.

Re claim 23. Claim 23 recites similar limitations to claim 16, and thus rejected using the same art and rationale in the rejection of claim 16.

Re claim 24. Claim 24 recites similar limitations to claim 17, and thus rejected using the same art and rationale in the rejection of claim 17.

Re claim 25. Claim 25 recites similar limitations to claim 18, and thus rejected using the same art and rationale in the rejection of claim 18.

Response to Arguments

3. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OJO O. OYEBISI whose telephone number is (571) 272-8298. The examiner can normally be reached on 8:30A.M-5:30P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD E. CHILCOT can be reached on (571)272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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